IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

FRIDAY, THE 2ND NOVEMBER 2007 / 11TH KARTHIKA 1929

WP(C).No. 21485 of 2007(G)

PETITIONER:

P.MEENAKSHIKUTTY, AGED 51 YEARS,
W/O.K.MADHAVAN UNNI, HEADMISTRESS,
A.M.M. U.P.SCHOOL, VADAVANNUR P.O.,
PALAKKAD DISTRICT.

BY ADV. SRI.GEORGE ABRAHAM

RESPONDENTS:

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1. THE ASSISTANT EDUCATIONAL OFFICER,
KOLLUNGODE, PALAKKAD DISTRICT.

2. THE DISTRICT EDUCATIONAL OFFICER,
PALAKKAD.

3. STATE OF KERALA,
REP. BY THE SECRETARY,
GENERAL EDUCATION DEPARTMENT,
THIRUVANANTHAPURAM.

ADDL.R4: SMT. SARALA NAIR.K., U.P.S.A A.MMUP SCHOOL,
VADAVANNUR P.O., PALAKKAD DISTRICT.
(IMPLEADED AS PER ORDER IN I.A.NO. 9766 OF 2007 DATED 24.9.07)

BY ADV. SRI.V.A.MUHAMMED
SRI.K.E.HAMZA
GOVERNMENT PLEADEER SRI. A.J. VARGHESE.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 02/11/2007, ALONG WITH W.P.(C) NO. 32019 OF 2007 THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C)NO.21485 OF 2007

APPENDIX

EXT.P1: TRUE COPY OF ORDER NO.B-3530/05 DATED 27.11.2006 OF THE ASSISTANT EDUCATIONAL OFFICER, KOLLENGODE DECLINING APPROVAL OF PETITIONER'S APPOINTMENT AS HEADMISTRESS OF AMMUP SCHOOL, VADAVANNUR.

EXT.P2: TRUE COPY OF ORDER NO.B-1156/-06 DATED 27.11.2006 OF THE ASSISTANT EDUCATIONAL OFFICER, KOLLENGODE REJECTING APPROVAL TO THE APPOINTMENT OF THE MANAGER OF AMMUP SCHOOL, VADAVANNUR.

EXT.P3: TRUE COPY OF PETITIONER'S APPEAL DATED 12.12.2006 TO THE DISTRICT EDUCATIONAL OFFICER, PALAKKAD AGAINST EXHIBIT P1 ORDER OF THE AEO.

EXT.P4: TRUE COPY OF THE JUDGMENT IN W.P.(C) NO.8560/07.

EXT.P5: TRUE COPY OF THE ORDER DATED 16.6.2007 OF THE DEO PALAKKAD.

EXT.P6: TRUE COPY OF THE REVISION PREFERRED BY PETITIONER BEFORE THE GOVERNMENT UNDER RULE 92OF CHAPTER XIVK.E.R. DATED 30.6.2007.

RESPONDENT'S EXHIBITS

EXT.R4(A): TRUE COPY OF THE SENIORITY LIST OF TEACHERS.

EXT.R4(B): TRUE COPY OF THE APPENDIX OF THE STAFF FIXATION ORDER 2003-2004

EXT.R4(C): TRUE COPY OF THE LETTER OF SMT. P. AMMUKUTTY AMMA

EXT.R4(D): TRUE COPY OF THE LETTER OF SRI.P. RAMACHANDRA MENON.

TRUE COPY

PA TO JUDGE.

S. SIRI JAGAN, J.

W.P.(C)Nos.21485 &
32019 OF 2007

Dated this the 2nd day of November, 2007

JUDGMENT

These two writ petitions relate to conflicting claims by the petitioners in the writ petitions for promotion to the post of Headmaster of the AMMUP School, Vadavannur. In W.P. (C) NO.21485/07 the petitioner was originally appointed as the Headmistress which was not approved by the Educational Authorities. In respect of the same, she has filed Ext.P6 revision petition before the 3rd respondent. In W.P.(c) No.32019/07 the petitioner in that writ petition also claims appointment to the same post and seeks direction to the educational authorities not to approve the appointment of the petitioner in W.P. (C) No. 21485/07. Now both parties confine their prayers for a disposal of the revision petitions filed by the petitioner in W.P.(C) NO.21485/07 and Ext.R4(d) filed by the Manager.

Having heard the learned counsel for the petitioners as also the learned Government pleader, I dispose of these writ petitions with a direction to the Government of Kerala to consider and pass

appropriate orders on Ext.P6 and Ext.R4 (d) in W.P.(C) No.21485/07 as expeditiously as possible, at any rate, within two months from the date of receipt of a copy of this judgment after affording an opportunity of being heard to the petitioners in these two writ petitions as also the Manager of the school.

S. SIRI JAGAN, JUDGE

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